

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application and does not require further search by the Examiner.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-6, 9-15 and 18 are pending in this application. Claims 1 and 10, which are independent, have been amended. Support for this amendment is provided throughout the Specification as originally filed, and specifically at pages 57-58. No new matter has been introduced by this amendment. Claims 7 and 16, which were objected to, are hereby canceled without prejudice or disclaimer of subject matter. Claims 8 and 17 were previously canceled. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled. Applicants submit that the amendments to the claims do not require further search and, therefore, Applicants respectfully request that the amendment be entered and considered.

### **II. 35 U.S.C. § 103(a) REJECTIONS**

In the Final Office Action, claims 1-7, 9-16 and 18 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,977,974 to Hatori et al. in view of U.S. Patent No. 6,405,371 to Oosterhout et al. in further view of U.S. Patent No. 6,219,837 to Yeo et al.

Applicants respectfully traverse the rejection because the combination of references does not teach or suggest the features of the invention and, furthermore, the combination of references lacks the required motivation to provide a *prima facie* case of obviousness.

Independent claim 1, as amended, recites, *inter alia*:

“...input means input with image data representing a plurality of image in time series from one of a plurality of image data sources;

...image display means for displaying the plurality of images generated, independent of the image data source;

...selection means for selecting an image set by the focus setting means, independent of the image data source...” (emphasis added)

As understood by Applicants, the cited portions of U.S. Patent No. 5,977,974 to Hatori et al. (hereinafter, merely “Hatori”) relate to an information processing apparatus and method. A plurality of data items is stored in a storage medium, and time information of each of the plurality of data items is obtained. A display window on a display screen displays a time axis, having a spiral shape, which includes arrangement positions, each corresponding to a predetermined period of time. At each of the arrangement positions, on the time axis, corresponding to time represented by the obtained time information of each of the plurality of data items, information (data icons) representing the corresponding data item is displayed. The display sizes of the data icons are reduced toward the center of the spiral time axis, thereby depth can be expressed. (see abstract, emphasis added)

As understood by Applicants, the cited portions of U.S. Patent No. 6,405,371 to Oosterhout et al (hereinafter, merely “Oosterhout”) relate to a method of navigating through television programs. A television receiver displays a mosaic image with sub-images representing available programs. The receiver further receives an electronic program guide with

program descriptions. Upon activating a "theme" button (42), the viewer can enter a desired program type, e.g. "movie". In response thereto, the brightness of the sub-images representing programs that are not desired is reduced. The user is assisted in navigating through programs of interest, while maintaining the mosaic structure, and without losing the association between channels and their positions on the mosaic screen. (see abstract, emphasis added)

As understood by Applicants, the cited portions of U.S. Patent No. 6,219,837 to Yeo et al. (hereinafter, merely "Yeo") relate to providing summary frames in video. Specifically, channel surfers are aided by summary frames appearing on the screen along with the regular program. These summary frames are embedded in the broadcast and appear in a small window on the screen as the video is broadcast. The summary frames depict key scenes from the past that aid the viewer in quickly ascertaining the current plot or theme of the video program. In an interactive television environment, a short video segment may be associated with each shot such that when the shot is selected, the past video segment is played in a larger window on the screen with sound. Once the segment is viewed, the video program is rejoined in progress so the viewer has a better sense of what is going on in the video.

Applicants submit that cited portions of Hatori, Oosterhout and Yeo, taken alone or in combination, fail to teach or suggest input means that receive data from one of a plurality of image data sources, and image display means and selection means that function independent of the image data source, as recited in claim 1.

Claim 10, which is a corresponding method claim, is believed to be allowable for the same reasons.

Furthermore, Applicants submit that the combination of Hatori with Oosterhout and Yeo lacks motivation and therefore fails to make the required *prima facie* case of obviousness.

The Office Action stated, regarding the combination of Hatori and Oosterhout, "...it would have been clearly obvious to one of ordinary skill in the art to implement the Hatori et al. system with means for setting a focus on a particular displayed sub-image so as to clearly identify to the user the item to be selected..."

Applicants submit that there is no suggestion, teaching or motivation to combine an information processing apparatus, as disclosed in Hatori, with a system for navigating through television programs, as disclosed in Oosterhout. Therefore, the combination of Hatori and Oosterhout is improper.

The addition of Yeo to the combination of Hatori and Oosterhout only exacerbates the issue. The Office Action stated, regarding the Yeo reference, that, "...it would have been clearly obvious to one of ordinary skill in the art to implement the combined teaching with the use of indexing images or summary frames so as to provide quick hyperlinking to a past or future portion of the video." However, Hatori is a system for displaying data items, in a spiral format, that can be examined with a zoom feature or accessed so file content can be edited. Hatori does not teach or suggest hyperlinking to a past or future portion of video such that one of ordinary skill in the art would be motivated to combine an information processing apparatus that displays data in a spiral format, as disclosed in Hatori, with a system for providing summary frames in video, as disclosed in Yeo.

Applicants submit that the combination of Hatori with Oosterhout and Yeo is a result of impermissible hindsight reconstruction of the claimed invention using the Applicants' claim as a template and selecting elements from references to fill in the gaps.

Furthermore, there is no suggestion to combine references when a reference teaches away from its combination with another source. Applicants submit that, as discussed above, the

“zoom-in/zoom-out” feature of Hatori teaches away from using a mosaic image with sub-images, as disclosed in Oosterhout, or a hyperlink feature, as disclosed in Yeo. Therefore, the Hatori approach teaches away from the Oosterhout approach and the Yeo approach.

Since the references cited were combined piecemeal, without any suggestion or motivation for their combination, independent claim 1 is believed to be allowable.

Applicants submit that the rejection of independent claim 10 is improper for the same reasons described above with regard to independent claim 1. Therefore, Applicants submit that independent claim 10 is allowable.

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons.

### **CONCLUSION**

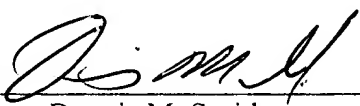
Applicants submit that this amendment does not require further search and respectfully request that the rejections be withdrawn and the application allowed.

In the event the Examiner disagrees with any of statements appearing above in respect to the references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,  
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